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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

WILLIAM COOKSON, JUNE ANDRADE,  
 SENITA PORCHER, NIYSHA EDWARD,  
 DAVID BOTELLO, SANTOS RAY REHMKE  
 and DAVID AXTON on behalf of themselves  
 and all others similarly situated,

Plaintiffs,

v.

NEW UNITED MOTOR MANUFACTURING,  
 INC., TOYOTA MOTOR CORPORATION, and  
 TOYOTA MOTOR SALES, U.S.A., INC.

Defendants.

) **CLASS ACTION**

) Case No. C10-02931 CRB

) **STIPULATION AND [PROPOSED] ORDER**  
 ) **TO STAY FRCP 26(F) CONFERENCE,**  
 ) **INITIAL DISCLOSURES, AND DISCOVERY**  
 ) **PLAN; AND CONTINUE MOTION TO**  
 ) **DISMISS HEARING AND CASE**  
 ) **MANAGEMENT CONFERENCE**

[Hon. Charles R. Breyer]

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19 Attorneys for Defendants  
TOYOTA MOTOR CORPORATION and  
20 TOYOTA MOTOR SALES, U.S.A., INC.

1 WHEREAS the parties attended a private mediation session with Justice Panelli on  
2 November 2, 2010 and continued in settlement discussions thereafter with Justice Panelli.

3 WHEREAS the parties have agreed to the mediator's proposed settlement and would like to  
4 focus their resources and efforts on the finalizing the settlement agreement;

5 WHEREAS the Motions to Dismiss and the Case Management Conference are currently set  
6 for hearing on January 21, 2011;

7 IT IS HEREBY STIPULATED, SUBJECT TO APPROVAL BY THE COURT, THAT:

8 1. The initial conference of the parties as required by Federal Rule of Civil Procedure  
9 26(f) and related deadlines, including the discovery plan described in Federal Rule of Civil  
10 Procedure 26(f)(3), initial disclosures described in Federal Rule of Civil Procedure 26(a)(1)(A), and  
11 joint case management conference statement described in Civil Local Rule 16-9, shall be deferred  
12 until an appropriate date following the settlement process, to be determined jointly by the parties,  
13 with the Court's approval;

14 2. The hearing and remaining briefing schedule on the Motions to Dismiss shall be  
15 modified as follows:

Event	Current Due Date	Proposed Due Date
Opposition	December 23, 2010	February 7, 2011
Reply	January 7, 2011	February 21, 2011
Hearing	January 21, 2011	March 4, 2011

21 3. The Initial Case Management Conference shall be continued to the date of the hearing  
22 on the Motions to Dismiss, i.e., March 21, 2011.

23 4


1 DATED: December 20, 2010

LAWSON LAW OFFICES  
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6 BY:   
ANTONIO M. LAWSON  
Attorneys for Plaintiffs


7  
8 DATED: December 20, 2010

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10 BY:   
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NEW UNITED MOTOR  
MANUFACTURING, INC.

11  
12  
13  
14 DATED: December 20, 2010

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16 BY:   
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TOYOTA MOTOR CORPORATION and  
TOYOTA MOTOR SALES, U.S.A., INC.

ORDER

Pursuant to stipulation, it is so ordered.

Dated: December 21, 2010

Charles R. Breyer, District Court

